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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,705	06/26/2001	Jean Tourrilhes	10007837-1	1801

7590 06/23/2004

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EXAMINER

TRAN, CONGVAN

ART UNIT PAPER NUMBER

2683

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/891,705

Applicant(s)

TOURRILHES ET AL.

Examiner

CongVan Tran

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to amendment filed on Apr. 14, 2004.

Response to Arguments

2. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 4, 6, 8-11, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Barrett et al. (6,167,280).
5. This Office Action is in response to amendment filed on Apr. 14, 2004.
6. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 1, 4, 6, 8-11, and 14, Barrett discloses a system for automatically configuring a first communication interface of a device for connection with an external wireless network (see fig.2, element 44, 46 and its description) comprising: a communication parameter source external to the device to store communication parameters of the wireless network (see ifg.2, element 48, col.4, lines 61-62 and its

description); a second communication interface inside the device to communicate with the communication parameter source for the communication parameters (see fig.2, element 44, 48 col.4, lines 62-63 and its description); an interface configuration module coupled to the first and second communication interfaces, wherein the interface configuration module causes the second communication interface to receive the communication parameters, and then configures the first communication interface using the communication parameters such that the device can be connected to the wireless network (it is inherent in mobile telephone device see fig.2, elements 44, 46, 48 and its description).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett et al. (6,167,280).

Regarding claims 2, and 16, Barrett discloses all the subject matter described in rejected claim 1, except for secure communication link. However, secure communication link is well known in the art using for against the fraud. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the well known secure communication link to verify procedures that provide a high degree of reliability against fraud.

9. Claims 3, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett et al. (6,167,280) in view of Phillips et al. (6,721,555).

Regarding claims 3, 5, Barrett discloses all the subject matter described in rejected claim 1, except for wirelessly communicates with the external source. However, Phillips a device authentication in a wireless communication system, comprising a mobile terminal wirelessly communicates with computing device (see fig.1, elements 14, 12 and its description). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use Phillips' wireless connection in Barrett's invention in order to improve the use of two devices in wireless communications system.

10. Claims 7, 12-13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett et al. (6,167,280) in view of bell (6,450,027).

Regarding claims 7, 12-13, and 15, Barrett discloses all the subject matter described in rejected claim 1, except for first and second communication interfaces employ different wireless communication technologies. However, bell discloses a wireless communication device using bluetooth, comprising first and second communication interfaces employ different wireless communication technologies (see fig.2, elements 34, 35 and its description). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use Bell's Bluetooth connection in Barrett's invention in order to improve the communication between device to device in short range connection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 703-305-4024. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CONGVAN TRAN
PATENT EXAMINER

CongVan Tran
Examiner
Art Unit 2683

CT
Jun. 17, 2004